

The Honorable Barbara J. Rothstein

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT WESLEY HUMPHREYS,

Petitioner,

v.

RON HAYNES,

Respondent.

CASE NO. C20-5426-BJR

ORDER DENYING PETITIONER'S
HABEAS PETITION WITH PREJUDICE

The Court, having reviewed Petitioner's petition for writ of habeas corpus, Respondent's answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, Petitioner's Objections thereto, and the remaining record, does hereby find and Order:

(1) The petition for writ of habeas corpus is time-barred pursuant to 28 U.S.C. § 2244(d)(1) and Petitioner has failed to set forth a basis for equitable tolling of the statute of limitations;

(2) The Court therefore adopts the Report and Recommendation;

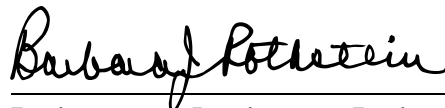
(3) Petitioner's habeas petition and this action are DISMISSED, with prejudice;

(4) Petitioner's Motion to Release (Dkt. 18) and Motion to Suspend the Rule and Grant Release (Dkt. 19) are DENIED;

(5) Petitioner is DENIED issuance of a certificate of appealability, and

1 (6) The Clerk is directed to send copies of this Order to petitioner, to counsel for
2 respondent, and to Judge Theiler.

3 Dated this 15th day of December 2020.

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6 Barbara Jacobs Rothstein
7 U.S. District Court Judge
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